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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: MUKAI=1

In re Application of: ) Confirmation No.: 8157  
Hiroyuki MUKAI )  
Appln. No.: 09/935,338 ) Art Unit: 1637  
Filed: August 23, 2001 ) Examiner: Jeffrey SIEW  
For: METHOD FOR AMPLIFYING ) Washington, D.C.  
NUCLEIC AID SEQUENCE ) March 17, 2004  
 )

**INFORMATION DISCLOSURE STATEMENT [IDS]**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[ ] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[ ] B. before the mailing date of a first office action on the merits.

[X] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification.

[X] i. Counsel certifies that, upon information and belief, each item of information listed herein was

[X] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[ ] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., Form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

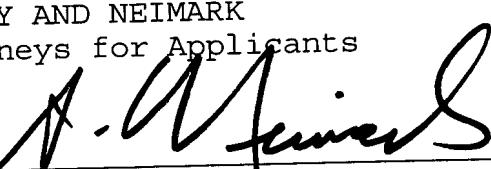
4. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is

(or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicants reserve the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Complete if Known	
Sheet	1	of	2
		Application Number	09/935,338
		Filing Date	August 23, 2001
		First Named Inventor	Hiroyuki MUKAI
		Group Art Unit	1637
		Examiner Name	Jeffrey SIEW
		Attorney Docket Number	MUKAI=1

A circular stamp containing the letters "OIPER" in a bold, sans-serif font. To the right of the circle, there is a vertical line with the number "12" written next to it. Below the circle, the date "MAR 17 2004" is stamped in a smaller, all-caps font.

U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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		Attorney Docket Number	MUKAI=1
Sheet	2	of	2

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MAR 17 2004

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#### **OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.